

"ARTICLE VIII. CLAIMS AGAINST THE TOWN

"Sec. 8.1. *Tort Claims.* All claims or demands against the Town arising in tort shall be presented to the Town Board in writing, signed by the claimant or his attorney or agent, within 90 days after such claim or demand is due or the cause of action accrues. No suit or action shall be brought on such a claim or demand within 30 days or after the expiration of 12 months from the time such claim or demand is presented. Unless the said claim or demand is so presented within 90 days, and unless suit is brought within 12 months thereafter, any action thereon shall be barred."

Sec. 6. If any provision of this act or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 2nd day of July, 1971.

H. B. 1203

CHAPTER 731**AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MAXTON AND TO REPEAL PRIOR CHARTER ACTS.**

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Maxton is hereby revised and consolidated to read as follows:

"THE CHARTER OF THE TOWN OF MAXTON**"ARTICLE I. INCORPORATION AND CORPORATE POWERS**

"Section 1.1. *Incorporation and General Powers.* The Town of Maxton shall continue to be a body politic and corporate under the name and style of the "Town of Maxton", and shall continue to be vested with all property and rights which now belong to the Town; shall have perpetual succession; may have a common seal and alter and renew the same at pleasure; may sue and be sued; may contract, may acquire and hold all such property, real and personal, as may be devised, bequeathed, sold or in any manner conveyed or dedicated to it, or otherwise acquired by it, and may from time to time hold or invest, sell, or dispose of the same; and shall have and may exercise in conformity with this Charter all municipal powers, functions, rights, privileges, and immunities of every name and nature.

"Sec. 1.2. *Exercise of Powers.* All powers, functions, rights, privileges, and immunities of the Town, its officers, agencies, or employees, shall be carried into execution as provided by this Charter, or, if this Charter makes no provision, as provided by ordinance or resolution of the Board of Commissioners and as provided by the general laws of North Carolina pertaining to municipal corporations.

"Sec. 1.3. *Enumerated Powers Not Exclusive.* The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated herein or implied hereby, or those appropriate to the exercise of such powers, the Town of Maxton shall have and may exercise all powers which are granted to municipal corporations by the general laws of North Carolina and all powers which, under the Constitution of North Carolina, it would be competent for this Charter specifically to enumerate.